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Paper No. 11

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OFFICE OF PETITIONS

In re Application of
Randi Lynn Schindler : Three
Application No. 09/152,992 : Week
Filed: September 14, 1998 : Letter

A petition for access under 37 CFR 1.14 was filed by Marvin H. Kleinberg on behalf of Kleinberg & Lerner, LLP, for access to the above-identified application on May 16, 2005. The petition was filed without proof of service upon applicant. Accordingly, a copy of the petition papers filed May 16, 2005 is enclosed with this letter.

The petition requests access to the above referenced application based upon the special circumstances that petitioner is being "...sued for malpractice in connection with ... representation of the inventor..." It appears from page 2 of the attachment to the petition that the representation involved the above referenced application.

Access to an unpublished application may be granted if "special circumstances" are shown which warrant a grant of access under 35 U.S.C. § 122. See Manual of Patent Examining Procedure (MPEP), Section 103, and 37 CFR 1.14(h).

Applicants are hereby given THREE WEEKS from the date of this letter to file a response to this letter. If applicants fail to respond within the three week period, petitioner may be allowed access to the entire application. See MPEP Section 103.

Any correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia

By FAX: (703) 872-9306
Attn: Office Patent Legal Administration/Michael L. Lewis

Telephone inquiries should be directed to Michael L. Lewis at (571) 272-7755.



Karin Ferriter
Senior Legal Advisor
Office of Patent Legal Administration
Office of the Deputy Commissioner
for Patent Examination Policy

cc: Marvin H. Kleinberg
Kleinberg & Lerner
2049 Century Park E., #1080
Los Angeles, CA 90067

Attachment: Petition